

**COLIN R. M. J. BONINI**  
STATE SENATOR  
Sixteenth District



**SENATE**  
**STATE OF DELAWARE**  
**LEGISLATIVE HALL**  
**DOVER, DELAWARE 19901**

COMMITTEES  
Adult & Juvenile Corrections  
Agriculture  
Banking  
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Highways & Transportation  
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Sunset

**FOR IMMEDIATE RELEASE**  
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Response to the Special Report  
By Investigative Reporter Lee Williams  
Of the  
Caesar Rodney Institute

Having read the Special Report filed by investigative reporter Lee Williams and knowing Mr. Williams as I do to be a careful, thorough and responsible reporter, I must assume that the facts and circumstances set forth in the CRI report are both true and accurate. Therefore, I am left with the obvious conclusion that Delaware has a significant problem with its Department of Corrections. As a result of that report I am doing the following:

1. I am requesting that the Attorney General appoint a Special Prosecutor pursuant to the authority granted to him by Section 2505(i) of Title 29 of the Delaware Code to empanel an investigative grand jury to:
  - a. Investigate the allegations of abuse and neglect at SCI and throughout the Delaware Department of Corrections that were raised in CRI's Special Report.
  - b. Investigate the Delaware Department of Corrections to determine whether a culture of corruption exists such that officers are pressured to adhere to a code of silence and cover-ups as reported in the CRI Special Report such that it rises to the level of criminal conduct, and to identify and prosecute those responsible.
  - c. Investigate the operations of Correctional Medical Services for fraud, abuse and medical neglect.
  - d. Investigate Delaware's Department of Corrections, generally, and SCI specifically, to determine whether corruption of a criminal nature other than abuse and neglect exists at any institution or within the command and/or management structure.
  - e. Make recommendations to the Governor, the President Pro-Tempore and the Speaker of the House for legislation to address any issues in need of such corrective legislation.
2. I am introducing a bill in the Delaware Senate to create two new criminal offenses similar to those already found under federal law creating the crimes of Intentional Deprivation of Civil Rights and Conspiracy Against Civil Rights. The purpose of this bill will be to punish those who misuse their office to intentionally violate the civil rights of the citizens they are sworn to serve. I am calling on all of my colleagues of both parties in both houses to join me on this bill as co-sponsors and by so doing send a message to all those who enjoy the public trust that any abuse of that trust or their offices to intentionally violate the civil rights of Delaware's citizens will not be tolerated.
3. As you know, I am a member of the Senate's Adult and Juvenile Corrections Committee and as such I am calling upon the Chairman, Senator Bruce Ennis, to conduct investigative hearings, complete with subpoena powers, to determine whether corrective legislation is needed to address the issues raised in the

CRI Special Report; to determine how the monies allocated by the General Assembly to the Department of Corrections for training and medical care are being spent; and to determine the annual costs to the State of Delaware to defend against and/or settle abuse and/or neglect cases arising from conduct within Delaware's Department of Corrections.

4. I am calling upon the Controller General, to investigate the expenditures of funds for the Prison Monitor to determine whether the State of Delaware has received full value for those funds.

5. I am calling upon the Chairs of Senate and House Judicial Committees, to review Section 468(5) of the Delaware Criminal Code relating to the use of force by prison guards, for the purpose of amending that section to provide clear and unequivocal guidelines for the use of force by this State's prison guard force in the performance of their duties.

6. I am also asking State Auditor, Tom Wagner, to conduct a full and complete audit of DOC to ensure that the funds allocated by the General Assembly are being spent wisely and in the manner directed and expected by the General Assembly. As a part of that audit, I am asking the State Auditor to conduct a forensic audit of the contract with and billing by Correctional Medical Services with regard to its contract for medical services with the Department of Corrections.

7. Finally, I am calling upon Commissioner Danberg to provide the people of the State of Delaware with the answers to each and every question posed to him in the Open Letter to Commissioner Danberg which was a part of the Special Report of the Caesar Rodney Institute.

Without a doubt, being a correctional officer in a prison in Delaware, or in any other state, is one of the most difficult and dangerous jobs in our system of government. Overwhelming majority are honest, law-abiding men and women trying to do their jobs in a just and humane manner; and that is certainly true of the vast majority of the men and women who work inside Delaware's Sussex Correctional Institute.

When society asks its citizens to perform its most difficult and dangerous jobs, society owes those employees the very best in training, the very best in leadership and the very best in compensation. Likewise, when a society assumes responsibility for the rehabilitation and/or incarceration of an individual, it also assumes responsibility for that person's safety and humane treatment while in state custody.

It would appear from the Special Report filed by Mr. Williams and the Caesar Rodney Institute that the State of Delaware has failed on all counts, at least in terms of Sussex Correctional Institute, and perhaps throughout the entire prison system. The monetary costs to the State of Delaware in terms of compensatory and punitive damages resulting from inmate lawsuits, and the costs in terms of the damage done to the public trust are unknown at this point.

I believe that it is the job of the Delaware General Assembly to determine the facts and to fix that which is broken, and to do so as quickly as possible. We must, and we will, be a part of the solution.